



August 12, 2004

Dear Sir or Madam:

We want to take this opportunity to thank those of you who were able to attend the public hearing concerning the Maury Island Aquatic Reserve Draft Supplemental Environmental Impact Statement (SEIS). We'd also like to update those of you who were unable to attend.

We had approximately 100 people at the hearing, with about 20 people testifying. We will formally respond to the testimony given during the hearing and any written comments we receive by August 27 in the Final SEIS, which is due to be published in late October 2004. We did, however, want to give everyone a brief summary of the management strategies evaluated in the SEIS and also try to clear up some misconceptions that we heard during the hearing about the Washington Department of Natural Resource's (WDNR's) authority and the aquatic reserve.

While we provide a summary of the issues below, we encourage everyone to review the Draft SEIS and the Draft Management Plan for more details. Section 5 of the management plan describes the specific management actions being proposed for the reserve. Section 5.4 describes how we propose to promote voluntary stewardship of private and public lands adjacent to the proposed reserve. The Draft SEIS and the Draft Management Plan can be requested by contacting David Palazzi at the telephone number below or by accessing them on-line at:

<http://www.dnr.wa.gov/htdocs/aqr/reserves/home.htm>

Management Alternatives in the SEIS

There are four primary components of the potential management strategies for the Maury Island site: research and monitoring, management of leases on state-owned aquatic lands, leading and partnering activities, and outreach to adjacent landowners.

Research & Monitoring

Alternative 1 (Preferred Alternative): The WDNR would inventory and monitor the environmental conditions of the site, as well as investigate areas where ecological improvements, such as the "portage" between Quartermaster Harbor and Tramp Harbor could be made.

Alternative 2 (Repeal the Reserve): The WDNR would not undertake proactive inventories or research, but would continue to require monitoring by lessees.

Alternative 3 (No Action): The WDNR would not undertake proactive inventories or research, but would continue to require monitoring by lessees.

Management of Leases on State-Owned Aquatic Lands

Alternative 1 (Preferred Alternative): The WDNR would manage the existing and pending leases (including the yacht club, marinas, Glacier Northwest, and several utility lines), any future applications for use (such as fish net pens and outfalls), and any existing structures on the site that

should technically already be authorized (such as mooring buoys on state-owned aquatic lands), based on a set of established criteria.

Alternative 2 (Repeal the Reserve): The WDNR would manage the existing and pending leases, any future applications for use, and any existing structures on the site that should technically already be authorized, based solely on existing mandates and guidance found in statute, regulations, and other WDNR policies, similar to all other state-owned aquatic lands.

Alternative 3 (No Action): The WDNR would manage the existing and pending leases, any future applications for use, and any existing structures on the site that should technically already be authorized, based solely on existing mandates and guidance found in statute, regulations, and the 2002 Aquatic Reserve Program Guidance Final Environmental Impact Statement (FEIS).

Leading & Partnering Activities

Alternative 1 (Preferred Alternative): The WDNR would place emphasis on removing derelict and abandoned vessels, removing nuisance plant species, working with recreational groups, developing an outreach and education program, and identifying potential areas for aquatic habitat acquisition.

Alternative 2 (Repeal the Reserve): The WDNR would not pay special attention to this site over any other site that we manage regarding removing derelict and abandoned vessels, removing nuisance plant species, working with recreational groups, developing an outreach and education program, and identifying potential areas for aquatic habitat acquisition.

Alternative 3 (No Action): As per the 2002 Aquatic Reserve Program Guidance FEIS, the WDNR would work with other entities to reduce environmental impacts, but specific areas of work are not defined.

Outreach to Adjacent Landowners

Alternative 1 (Preferred Alternative): The WDNR would work with willing landowners on solutions and funding to address shoreline hardening, pollution sources, and in-water structures.

Alternative 2 (Repeal the Reserve): The WDNR would not undertake proactive coordination or outreach with landowners to improve conditions on their properties nor would we undertake specific efforts to acquire funding.

Alternative 3 (No Action): As per the 2002 Aquatic Reserve Program Guidance FEIS, the WDNR would work with adjacent landowners to minimize off-site impacts to the reserve, but specific areas of work are not defined.

Misconceptions Regarding the Proposed Reserve

There were at least four misconceptions regarding the proposed aquatic reserve that were repeated during the public hearing. These included concerns about private property rights, recreational uses, lease limitations of Alternative 3, and the use of taxes to fund reserve activities.

Private Property Rights

The WDNR's Aquatic Resources Program does not manage or regulate privately owned aquatic lands or uplands. We are seeking to be good environmental stewards for state-owned aquatic lands at

the Maury Island site by proposing an aquatic reserve. While being a good steward of aquatic lands does set an example that private property owners may choose to emulate, we will not suggest that other government agencies should mandate that private property owners follow our example. The WDNR will seek to coordinate with other government agencies in so far as those agencies can provide information or resources to help us manage state-owned aquatic lands.

The preferred alternative proposes that the WDNR develop an education and outreach effort that contacts willing landowners to explain alternative strategies and best management practices for shoreline armoring (including bulkheads), run-off (including septic systems), and in-water structures (including docks and buoys). Under the preferred alternative, we would also work with willing landowners to seek funding sources to address these issues.

Recreational Uses

The WDNR does not manage or regulate transient recreational uses (such as fishing, boating, skiing, and beach walking). The preferred alternative proposes that we develop an education and outreach effort that contacts willing recreational users and groups to explain alternative strategies and best management practices for their activities that would minimize impacts to sensitive species and habitats within the Maury Island site.

Leasing in Alternative 3 of the Draft SEIS

Alternative 3 is the No Action alternative that would keep the site in the same status that it is currently in. Under Alternative 3, the site would be managed under the WDNR's current statutes and regulations, as well as the general guidelines established in the 2002 Aquatic Reserve Program Guidance FEIS. The statutes, regulations, and programmatic FEIS do allow leasing on the Maury Island site.

Section 3.2.1.4.2. of the programmatic FEIS states that, "...future leases *that are not compatible* with the reserve goals will not be allowed..." [emphasis added]. Additionally, Section 3.2.1.4.2. of the programmatic FEIS and Section 3.4.3.2 of the Supplemental EIS states that, "In general, no future use authorizations will be granted that alter, remove, and/or otherwise change any existing environmental or cultural characteristic of an established reserve, *except for those use authorizations that primarily serve the objectives of the reserve designation*" [emphasis added].

Under the preferred alternative (Alternative 1), the management plan uses an ecosystem approach to establish clear criteria for determining when a proposed use is compatible with the reserve and when a proposed use primarily serves the objectives of the reserve. If a proposed use meets the criteria, then it may be authorized. Under the programmatic FEIS, there are no such criteria. As such, under Alternative 3, proposed uses would be evaluated and authorized on a case-by-case basis with no specific guidance as to what is compatible with the reserve and what primarily serves the objectives of the reserve.

Taxes

The WDNR's Aquatic Resources Program generates all of its own operating and capital revenues by authorizing activities on state-owned aquatic lands. The Aquatic Resource Program and the Aquatic Reserves Program receive no tax dollars for their operational or capital expenditures. Revenue that we generate from state-owned aquatic lands also helps fund other state agencies, such as the Parks and Recreation Commission, the Department of Fish & Wildlife, the Department of Agriculture, and

the Interagency Committee for Outdoor Recreation. Revenue generated from state-owned aquatic lands also helps fund public recreation and habitat acquisition/restoration projects. For example, the Vashon Park District received over \$100,000 in 1997 for the Jensen Point Small Craft Center.

We hope this information helps you understand our proposed management plan and authorities relative to the Maury Island site. If you have comments on the Draft SEIS, please send them to us at the address below by August 27, 2004.

Jennifer Gitchell
SEPA Center
Washington Department of Natural Resources
PO Box 47015
1111 Washington Street SE
Olympia, WA 98504-7015
sepacenter@wadnr.gov

If you have questions, or would like to meet with us to discuss the Draft SEIS and/or the proposed management plan, please contact us at any time at the address, telephone number, or e-mail address below.

David Palazzi
Washington Department of Natural Resources
Aquatic Resources Division
PO Box 47027
1111 Washington Street SE
Olympia, WA 98504-7027
david.palazzi@wadnr.gov
Tel: (360) 902-1069

Thank you.

Sincerely,



Franacea L. McNair
Aquatics Land Steward